A (11) 1111 46 Working 17/11/36 File No. 410. 1885

Collection No. 10 (12)

88 16-1-47 SLO 125-126

~~Ingoda Residency~~

Pros. Serial Nos. 127-129

113

Subject.

Question of extension of the Station Hacking Carriage Rules to the City Railway Station rendered possible by the application of §5 of the I.C. Act XIV of 1879 to the Station.

Previous References.

Later References.

S. 87. (Blue.)
MGIPC—FP—725DCF—[illegible]

Margin for binding not to be written on.

Office Note.

File No. 410 / 1885

11,12

2nd Cr ~~Letter~~ No. 2034 dated the 17th May 1912 from the Dt Magistrate, C & M Sts.

SUBJECT.

Whether Bangalore City or C & M Sts Hackney Carriage Regulations apply to the City Railway limits?

The Bangalore City Hackney Carriage Regulation cannot apply to the City Railway limits, as the Maharaja has x ceded to the British Govt full jurisdiction within such limits.

x Vide preamble to F.D. Notn No 507-9 of 1896 - Sl 37 of 7 264/88 O.

The C & M Sts Hackney Carriage Regulation too (viz, the Bangalore Hackney Carriage Rgln, 1882) does not seem to apply to such limits for two reasons. Firstly, it extends only to the Cor M Sts of Bangalore, while the City Railway limits are outside the said Station. Secondly, Part I of the Foreign Dept Notn No 507-9 dt the 6th Feb 1896 which declares that all laws in force in the Station shall be deemed to be in force in the Station railway lands in Mysore, which are under British jurisdiction, seems to apply to the said lands only the general laws of

~~A~~ Sl 12/a - C. of 7 410/85

Sl 37 of 7 264/88 O

the Station and not ~~special~~ what are purely & special and local laws.

But, as the Bangalore Hackney Carriage Regn, 1882, is of the nature of a special and local law, it does not seem to apply to the City Railway limits by reason of the Foreign Dept. Note No 507-9 referred to. If approved, the Dt Magistrate may be informed accordingly.

~~a special law~~ a law applicable to particular place.

Margin for binding not to be written on.

(The Dt Magistrate says that if there are no Regulations, it is very difficult for the Police to maintain an efficient control. Hackney carriages in the City Railway Station were apparently subject to no control and there will perhaps be no real necessity in future to bring them under control, seeing that all round the Railway Station, they are subject ~~either~~ to the City ~~Dt to the C of the Sta~~ Regulations).

Submitted for orders. The station Police will keep order ~~with~~ in the City by Notice under Sec 31 of the Police Act which is applicable thereto.

BG
22/5/12

22/5

Notes—*continued*

Margin for binding not to be written on.

~~I think we may reply that~~

Regr.

Please see the foregoing note. I think we may reply that neither of the regulations apply to the City Railway limits as T.D. Notification No 5087-I dated 6-2-86 merely extends laws of general application & does not include Special local laws. The City regulations are equally inapplicable as jurisdiction has been ceded by the Mysore Durbar. We may suggest that any infringements of the city regulations & Co h. regulations in the case of any particular drive might be reported by the Railway police to the authorities concerned who can take necessary action as any hackney carriage in leaving the Station must enter the limits when the regulations are in force. So far as the maintenance of order etc are concerned the Railway police would appear to have sufficient powers under the Police Act. ~~(III)~~ (V of 1861) vide in particular § 34.

MBlo.
23/5

25/5

Draft submitted for approval

BS
27/5/12

MBlo.
28/5.

Issued no. 3119 & 29th May 1912

S. 128
S. 2.—R. P. B.—10-1910.—3,000.

127

Office of the Dist. Supdt. of Police,

No. 32 Enclos. 3 Civil and Military Station,

Bangalore, 13th May 1912.

16 MAY 1912

From

A. A. G o v e r, Esquire,

District Superintendent of Police,

Civil & Military Station, Bangalore.

To

P.B. Warburton, Esqr., I.C.S.,

First Assistant to the Hon'ble

the Resident in Mysore, Bangalore.

Through The District Magistrate, C & M Station, Bangalore.

Sir,

I have the honour to invite a reference to the marginally noted Notification of the Government of India in the Foreign Department regarding the cession to us of full jurisdiction over lands occupied by certain lines of Railway in the Mysore State.

No.507-I dated 6-2-1896.

2. Part I of the Notification declares that "all laws for the time being in force in the Civil and Military Station of Bangalore shall be deemed to be in force in the aforesaid lands". Whether this implies that the Hackney Carriage Regulations in force in the Civil and Military Station also apply to these lands, I feel doubtful about. I should therefore be much obliged if you could kindly favour me with instructions as to which of the two Hackney Carriage Regulations, namely, those of the station or of the City applies to the City Railway limits.

3. If, in virtue of the Notification referred to above, the Station Regulations are considered to be in force, then in virtue of the self-same Notification, it would follow that they are equally applicable all along the Railway lines over which jurisdiction has been ceded to us.

S. 22.—R. P. B.—9-1911.—6,000.

No. 32 Enclos. 2

Office of the Dist. Supdt. of Police,

Civil and Military Station,

Bangalore, 13th May 1912.

From

A. A. Gover, Esquire,

District Superintendent of Police,

Civil & Military Station, Bangalore.

To

P.B. Warburton, Esqr., I.C.S.,

First Assistant to the Hon'ble

the Resident in Mysore, Bangalore.

Through

The District Magistrate, C & M Station, Bangalore.

Sir,

I have the honour to invite a reference to the marginally noted Notification of the Government of India in the Foreign Department regarding the cession to us of full jurisdiction over lands occupied by certain lines of Railway in the Mysore State.

No.507-I dated 6-2-1896.

2. Part I of the Notification declares that "all laws for the time being in force in the Civil and Military Station of Bangalore shall be deemed to be in force in the aforesaid lands". Whether this implies, that the Hackney Carriage Regulations in force in the Civil and Military Station also apply to these lands, I feel doubtful about. I should therefore be much obliged if you could kindly favour me with instructions as to which of the two Hackney Carriage Regulations, namely, those of the station or of the City applies to the City Railway limits.

3. If, in virtue of the Notification referred to above, the Station Regulations are considered to be in force, then in virtue of the self-same Notification, it would follow that they are equally applicable all along the Railway lines over which jurisdiction has been ceded to us.

S. 22.—R. P. B.—9-1911.—6,000.

4. If however, on the other hand, it be considered that the City Regulations apply, then difficulties arise in regard to the working of them, since the Railway Police and the Railway Magistrate have to work under an alien law.

5. So far, the Station Regulations have not been put in force within the City Railway limits, has have offences against the City Regulations been prosecuted by the City Municipality or by my police.

I have the honour to be,

Sir,

Your most obedient servant,

District Superintendent of Police.

No. 2034
17-5-12
Forwarded
The question is whether
Hackney Carriages at the
City Station are under any
Regulations and if so, which.
If they are under no Regul
ations it is rather difficult
for the Police to maintain
an efficient control
of Plying
16.5.12

128

No. 319.

FROM

P. B. WARBURTON, Esq., I. C. S.,
FIRST ASSISTANT TO THE RESIDENT IN MYSORE.

To

The District Magistrate,
Civil and Military Station of Bangalore.

Dated Bangalore, 29th May 1912.

SIR,

I am directed to acknowledge the receipt of your endorsement No. 2034, dated the 17th May 1912, on Mr. Gover's letter No. 32, dated the 13th idem, -- enquiring whether the Hackney Carriage Regulations of the City or of the Civil and Military Station of -- Bangalore apply to the City Railway limits.

2. In reply, I am to say that the Bangalore -- Hackney Carriage Regulation, 1882, does not apply to the Railway limits in question, inasmuch as the -- Regulation can be rendered operative only within the limits of the Station Municipality by rules made under Section 3 and that the City Regulations are equally inapplicable as full jurisdiction with the said Railway limits has been ceded to the British Government by the Mysore Darbar.

3. I am, however, to suggest that any infringements of the City or the Station Regulations in the case of any particular driver might be reported by the railway police to the authorities concerned, who can

R. O. 2.—R. P. B.—8-1911.—3,000.

take

take the necessary action, as any hackney carriage in leaving the railway station must enter the limits where the regulations are in force. So far as the maintenance of order within railway limits is concerned the railway police would appear to have sufficient powers under the Police Act, V of 1861.

I have the honour to be,

Sir,

Your most obedient servant,

Sd/ P. B. Vanhuntum

First Assistant Resident.

9c

S. 3.—R. P. B.—1-1913.—10,000.

For orders from
the Chief Magistrate
of

(For copy with 145 A S 45)

[DRAFT.]

From

P. B. Warburton Esq, I.C.S.
J - A - R

To

The Chief Magistrate, Cantt Bn,
Bangalore

S 45

I am directed to invite
a reference to the correspondence
ending with this Office letter
No 3119, dy the 29th May 1912,
regarding the regulations in
force in the Bangalore City
Railway Station for the
control of hackney carriages.

S. 128 of
7 410/85
next to
file 2.

2. I am now to point
out that Section 5 of the
Hackney Carriage Act 1879
(XIV of 1879), which has been
recently
applied to the Cantt Sta of
Bangalore by the Notn of

X 78 of Ajmer
Code

(Continuation of Draft).

the L.G.B. in the Foreign
Dept No 732 D, dy the 19th
March 1913, (a copy of which
was forwarded with this
Office endorsement No 2959 81467 Hackney
dy 16th May 1913) admits of the extension of the Station.
of the Station Hackney
Carriage Rules ~~being applied~~
to the City Railway Station, I am awaiting
and to suggest that, the in consultation with the Supt. of this
Metl Commr, Comm Sh,
if necessary
may be moved to take
the ~~necessary~~ action in
the matter.

I have &c

MBlo

J-A-D.

B5
B/5/13 J

B/5/13

10/5